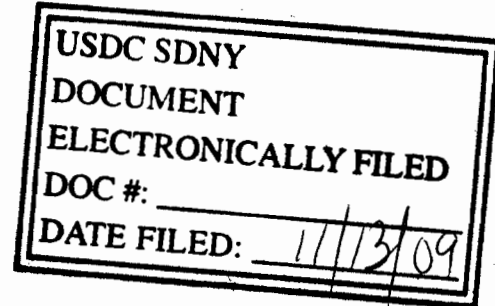


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Attorneys for Plaintiff Modavox, Inc., a Delaware Corporation

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

MODAVOX, INC., a Delaware
corporation,

Plaintiff,

v.

TACODA, INC., a Delaware corporation;

Defendants.

CASE NO. 1:07-cv-07088 (CM)

**[PROPOSED] ORDER GRANTING FILING
UNDER SEAL**

Filed: August 9, 2007
Trial: None Set

IT IS HEREBY ORDERED THAT:

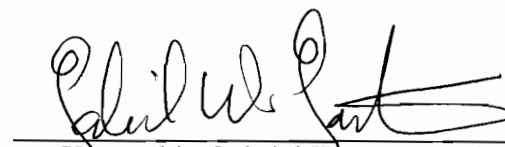
1. Plaintiffs may file the following documents in their unredacted form under seal:
 - Motion for Sanctions for Spoliation of Evidence and Evasive Disclosure Practices;

- Declaration of Andrew Cromarty in Support of Motion for Sanctions for Spoliation of Evidence and Evasive Disclosure Practices;
- Declaration of Andrew Cromarty, PH.D. in Support of Plaintiff Modavox's Motion For Sanctions For Spoliation of Evidence And Evasive Disclosure Practices;
- Declaration of David R. Shaub, Esq. in Support of Plaintiff Modavox's Motion For Sanctions for Spoliation of Evidence And Evasive Disclosure Practices;
- Declaration of Andrew Burgess in Support of Plaintiff Modavox's Motion for Sanctions For Spoliation of Evidence and Evasive Disclosure Practices;
- Exhibits In Support of Motion for Sanctions for Spoliation of Evidence and Evasive Disclosure Practices – Part 1 [Exhibits 1-34], specifically Exhibit 19 and Exhibit 34
- Exhibits In Support of Motion for Sanctions for Spoliation of Evidence and Evasive Disclosure Practices – Part 2 [Exhibits 35-66], specifically Exhibits 35-54

2. It is further order that the following briefing schedule will apply: Defendant Tacoda, Inc. will be given 14 days from the date of service to respond to the Motion for Spoliation of Evidence and Evasive Disclosure Practices; and Plaintiff will be accorded 7 days to reply to Defendant's response.

3. It is further ordered that _____.

November 13
DATED: October __, 2009


Honorable Gabriel W. Gorenstein
United States District Court Judge

shall be in accordance with section 2.B of this Court's Judicial Practices